

2005 DRAFTING REQUEST

Bill

Received: **01/11/2005**

Wanted: **As time permits**

For: **Administration-Budget 6-2213**

This file may be shown to any legislator: **NO**

May Contact:

Subject: **Children - juvenile justice**

Received By: **gmalaise**

Identical to LRB:

By/Representing: **Steinmetz**

Drafter: **gmalaise**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Steinmetz, BB0385 -

Topic:

Transfer of Community Intervention Program to Office of Justice Assistance

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 01/11/2005	wjackson 01/12/2005		_____			
/1			rschluet 01/12/2005	_____	lnorthro 01/12/2005		
/2	gmalaise 01/26/2005	lkunkel 01/26/2005	jfrantze 01/27/2005	_____	lemery 01/27/2005		

FE Sent For:

<END>

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1/2 lmk 1/26 Jf/26 Jf/ch
1/26 <END>

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/?	gmalaise	/1 WLj 1/12					

FE Sent For:

<END>

[NAME]
Page 2
January 7, 2005

Attachment 1

FY05-07 Statutory Language Cover Sheet

Topic: Community Intervention Program Transfer to Office of Justice
Assistance

Tracking Code: *BB0385*
Team: Tax and Justice (TJ)

Contact: *(Analyst)* Steinmetz

Agency: DOC

Agency #: 410

Attachment 1

**2005-2007 Biennial Budget
Statutory Language Request**

Topic: Community Intervention Program Transfer

Current Language

Current language at §301.263 specifies the amount of funding the Department shall distribute to counties for early intervention services for first offenders and for intensive community-based intervention services for seriously chronic offenders.

Proposed Change

Transfer the program to the Office of Justice Assistance

RP 301.263 (h)(6)
RA (1) ; 16.964 (10)(a)
RA (2) (10)(b)
(3) (10)(c)

Effect of the Change

The effect of this change will be to transfer the Community Intervention Program from the Department of Corrections to the Office of justice Assistance.

RA 20.410 (3)(f) ; 20.505 (6)(f)

Rationale for the Change

This change would transfer responsibility for administering the Community Intervention Program to the Office of Justice Assistance.

Team: Tax and Justice (TJ)
Contact: Steinmetz
Agency: DOC
Agency #: 410

Malaise, Gordon

From: Steinmetz, Jana
Sent: Tuesday, January 11, 2005 3:35 PM
To: Malaise, Gordon
Subject: RE: Transfer of Community Intervention Program

Only the funding is being transferred. There are no positions associated with it.

-----Original Message-----

From: Malaise, Gordon
To: Steinmetz, Jana
Sent: 1/11/2005 2:20 PM
Subject: Transfer of Community Intervention Program

Jana:

I have your request to transfer administration of the Community Intervention Program fro DOC to OJA in DOA.

Are you planning on transferring any positions to administer this program? If so, it would be helpful if you could advise me as exactly how many positions and the funding source for those positions so that I can draft a Nonstatutory Provision transferring assets, and liabilities, contracts, positions and employees, etc., that are primarily related to the Community Intervention Program from DOC to DOA.

Gordon



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-1624/?

GMM...l:...

WLj

DOA:.....Steinmetz, BB0385 - Transfer of Community Intervention Program
to Office of Justice Assistance

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

DO NOT GEN

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

CORRECTIONAL SYSTEM ✓

JUVENILE CORRECTIONAL SYSTEM ✓

Current law, requires DOC, under the Community Intervention Program, to distribute \$3,750,000 in each year to counties for early intervention services for juvenile first offenders and for intensive community-based intervention services for seriously chronic juvenile offenders. This bill transfers administration of the Community Intervention Program to the Office of Justice Assistance in DOA.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 20.410 (3) (f) ✓ of the statutes is renumbered 20.505 (6) (f) and ✓
3 amended to read:
4 20.505 (6) (f) *Community intervention program*. The amounts in the schedule
5 for the community intervention program under s. ~~301.263~~ 16.964 (10). ✓

History: 1989 a. 31 ss. 340, 361 to 380, 382 to 392; 1989 a. 107, 122, 359; 1991 a. 39; 1993 a. 16, 98, 377, 437, 490; 1995 a. 27, 77, 416, 440; 1997 a. 4, 27, 35, 237, 252, 275, 283, 284; 1999 a. 9, 89; 2001 a. 16; 2003 a. 33.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats. ✓

1 SECTION 2. 301.263 (title) ✓ of the statutes is repealed.

2 SECTION 3. 301.263 (1) ✓ of the statutes is renumbered 16.964 (10) (a) ✓ and
3 amended to read:

4 16.964 (10) (a) From the appropriation under s. 20.410 (3) (f) 20.505 (6) (f) ✓, the
5 department office ✓ shall distribute \$3,750,000 in each year to counties for early
6 intervention services for first offenders and for intensive community-based
7 intervention services for seriously chronic offenders.

8 History: 1995 a. 27, 77; 1997 a. 35; 1999 a. 9.

9 SECTION 4. 301.263 (2) ✓ of the statutes is renumbered 16.964 (10) (b) ✓ and
10 amended to read:

11 16.964 (10) (b) To determine eligibility for a payment under sub. (1) par. (a) ✓,
12 the department office ✓ shall require a county to submit a plan for the expenditure of
13 that payment that ensures that the county targets the programs to be funded under
14 that payment appropriately.

15 History: 1995 a. 27, 77; 1997 a. 35; 1999 a. 9.

16 SECTION 5. 301.263 (3) ✓ of the statutes is renumbered 16.964 (10) (c) ✓ and
17 amended to read:

18 16.964 (10) (c) The department office ✓ shall distribute 33 percent ✓ of the amounts
19 distributed under sub. (1) par. (a) ✓ based on each county's proportion of the violent
20 Part I juvenile arrests reported statewide under the uniform crime reporting system
21 of the office of justice assistance in the department of administration, during the
22 most recent 2-year period for which that information is available. The department
23 office ✓ shall distribute 33 percent ✓ of the amounts distributed under sub. (1) ✓ based on each
county's proportion of the number of juveniles statewide who are placed in a secured
correctional facility, a secured child caring institution, or a secured group home

para (a)

1 during the most recent 2-year period for which that information is available. The
2 department office shall distribute ~~34%~~ ^{34 Percent} of the amounts distributed under sub. (1),
3 based on each county's proportion of the total Part I juvenile arrests reported
4 statewide under the uniform crime reporting system of the office of justice
5 assistance, during the most recent 2-year period for which that information is
6 available.

History: 1995 a. 27, 77; 1997 a. 35; 1999 a. 9.

7 **SECTION 9109. Nonstatutory provisions; corrections.**

8 (1) COMMUNITY INTERVENTION PROGRAM TRANSFER.

9 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
10 liabilities of the department of corrections primarily related to the Community
11 Intervention Program under section 301.263, 2003 stats., as determined by the
12 secretary of administration, shall become the assets and liabilities of the department
13 of administration.

14 (b) *Tangible personal property.* On the effective date of this paragraph, all
15 tangible personal property, including records, of the department of corrections that
16 is primarily related to the Community Intervention Program under section 301.263,
17 2003 stats., as determined by the secretary of administration, is transferred to the
18 department of administration.

19 (c) *Pending matters.* Any matter pending with the department of corrections
20 on the effective date of this paragraph that is primarily related to the Community
21 Intervention Program under section 301.263, 2003 stats., as determined by the
22 secretary of administration, is transferred to the department of administration and
23 all materials submitted to or actions taken by the department of corrections with

respect to the pending matter are considered as having been submitted to or taken by the department of administration.

(d) *Contracts.* All contracts entered into by the department of corrections in effect on the effective date of this paragraph that are primarily related to the Community Intervention Program under section 301.263, 2003 stats., as determined by the secretary of administration, remain in effect and are transferred to the department of administration. The department of administration shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of administration to the extent allowed under the contract.

(e) *Rules and orders.* All rules promulgated by the department of corrections in effect on the effective date of this paragraph that are primarily related to the Community Intervention Program under section 301.263, 2003 stats., remain in effect until their specified expiration date or until amended or repealed by the department of administration. All orders issued by the department of corrections in effect on the effective date of this paragraph that are primarily related to the Community Intervention Program under section 301.263, 2003 stats., remain in effect until their specified expiration date or until modified or rescinded by the department of administration.

(END)



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-1624/1

GMM:wlj:rs

Keep

more

TODAY

DOA:.....Steinmetz, BB0385 - Transfer of Community Intervention Program
to Office of Justice Assistance

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

Do NOT Gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

CORRECTIONAL SYSTEM

JUVENILE CORRECTIONAL SYSTEM

Current law, requires DOC, under the Community Intervention Program, to distribute \$3,750,000 in each year to counties for early intervention services for juvenile first offenders and for intensive community-based intervention services for seriously chronic juvenile offenders. This bill transfers administration of the Community Intervention Program to the Office of Justice Assistance in DOA.

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3 amended to read:

4 20.505 (6) (f) *Community intervention program.* The amounts in the schedule
5 for the community intervention program under s. 301.263 16.964 ~~(10)~~.

1-5

(11) ✓

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 SECTION 2. 301.263 (title) of the statutes is repealed. (11)

2 SECTION 3. 301.263 (1) of the statutes is renumbered 16.964 (10) (a) and
3 amended to read: (11)^B

4 16.964 (10) (a) From the appropriation under s. 20.410 (3) (f) 20.505 (6) (f), the
5 department office shall distribute \$3,750,000 in each year to counties for early
6 intervention services for first offenders and for intensive community-based
7 intervention services for seriously chronic offenders. (11)

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10 16.964 (10) (b) To determine eligibility for a payment under sub. (1) par. (a),
11 the department office shall require a county to submit a plan for the expenditure of
12 that payment that ensures that the county targets the programs to be funded under
13 that payment appropriately. (11)

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17 amounts distributed under sub. (1) par. (a) based on each county's proportion of the
18 violent Part I juvenile arrests reported statewide under the uniform crime reporting
19 system of the office of justice assistance in the department of administration, during
20 the most recent 2-year period for which that information is available. The
21 department office shall distribute 33% 33 percent of the amounts distributed under
22 sub. (1) par. (a) based on each county's proportion of the number of juveniles
23 statewide who are placed in a secured correctional facility, a secured child caring

1 institution, or a secured group home during the most recent 2-year period for which
2 that information is available. The department office shall distribute 34% 34 percent
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(END)

d-n

Insert 1 - 5

*** NOTE: ⁽³⁾
This is re-enacted S. 20.410 (b)(f).

This section has been affected by drafts with the

following LRB #'s: LRB-1624/1 and LRB-1670/3.

Insert 2 - 7

~~***~~ NOTE: This is recorded ^{S. 301.263(17).✓} S. 16.964(11)(a). ✓

This section has been affected by drafts with the
following LRB #'s: LRB-1624/1 and LRB-1670/3. ✓

Insert 2-13

~~***~~ NOTE: This is recorded ^{S. 301.263(2). ✓} S. 16.964 (11)(b).

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Insert 3 - ~~16~~ 6

*** NOTE: This is recorded S. 301.263(3).
S. 16.964(1)(c) 2

This section has been affected by drafts with the
following LRB #s: LRB-1624/1 and LRB-1670/3.

GMM:lmk:

Draft (date

Jana Stemmelz and Jim Johnston

9 This draft reconciles LRB-1624 /1 and LRB-1670 /3.

Both LRB-1624 and LRB-1670

=

NOT

continue to appear compiled
should continue to appear in the compiled

bill.

GMM

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1624/2dn
GMM:lmk:jf

January 26, 2005

Jana Steinmetz and Jim Johnston:

This draft reconciles LRB-1624/1 and LRB-1670/3. Both LRB-1624 and LRB-1670 should continue to appear in the compiled bill.

Gordon M. Malaise
Senior Legislative Attorney
Phone: (608) 266-9738
E-mail: gordon.malaise@legis.state.wi.us



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-1624/2

GMM:wlj:jf

DOA:.....Steinmetz, BB0385 - Transfer of Community Intervention Program
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FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

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6 par. (a) based on each county's proportion of the total Part I juvenile arrests reported
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22 (END)